(2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P.NO. 1750 OF 2001

BETWEEN

Peela Bai Wife of Samaru Lal Ganda ,aged about 36 years occupation sarpanch, Gram Panchayat Chandra Nagar,Thana Sarsivan Tahsil Bilaigarh, district Raipur.

PETITIONER

A N D

1. State of Chhattisgarh,through Secretary Panchayat department, D.K.Building, Raipur.

2. The Upper Collector Baloda Bazar, District Raipur.

3. Prescribed Officer/Sub Divisional Officer Bilaigarh, District Raipur.

4. Presiding Officer, Naib Tahsildar Bilaigarh, District Raipur.

5. Sahni S/o Jogiram Sanwara, Up Sarpanch, R/o Rankot

6. Khetru S/o Makrat ,Panch, by caste sanwra.

7. Bodhni Bai W/o Chetram Sanwra.

8. Parasmati W/o Bhojram Yadav.

9. Panchmati W/o Goverdhan Sanwra.

10. Saujilal S/o Gulal Singh Gond,

11. Ramcharan S/o Salik Ram Marar

12. Rambharos S/o Bundram Marar

13. Bharat S/o Chandan Singh Binjhwar

14. Suniya Bai W/o Munkuram Gond.

15. Tikam Prasad S/o Charan Yadav

Respondents no.5 to 15 are Panch at Gram Panchayat Chandra Nagar,Tahsil Bilaigarh District Raipur.

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

P.R. No. 1572/01 received by Shri ... Advocate dated ...

शपथ आयुक्त, बिलासपुर (छ.ग.)

RECEIVED COPY. 10-9-01 CLERK TO A.G. BILASPUR

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(32)

आदेश पत्रक

W.P.No.1750/2001

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8.10.2001 Shri Awadh Tripathi, learned counsel for the petitioner. Shri Rajeev Shrivastava, learned Panel Lawyer for the respondent / State. Heard. The writ petitioner elected as Sarpanch. In a no confidence motion moved against him he is sought to be removed from the post of Sarpanch. He filed an appeal before the Additional Collector at Baloda Bazar and the same is pending before the said authority. Failing to get an interim order of stay the petitioner has approached this Court by filing writ petition under Article 226 of the Constitution of India. According to Shri Awadh Tripathi, learned counsel for the petitioner this particular post of Sarpanch is reserved for Tribal. So far charge has not been handed over to any one. After hearing Shri Tripathi, learned counsel for the petitioner as well as Shri Rajeev Shrivastava, learned counsel for the respondents No.1 to 4 I am of the view that since appeal has already been filed before the competent authority, the ~~said~~ same appeal should be decided on merit by the Appellate	

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

(Contd.order dated 8.10.2001)

-: 2 :-

Authority.

In the result, this petition is disposed of with the direction that appeal pending before the Additional Collector at Baloda Bazar be decided finally after hearing the parties on merit.

Let it be done within a period of one month from the first date of appearance by the petitioner before the Appellate Authority. I direct the petitioner to appear before Additional Collector on 15th October, 2001.

Till then, status quo as regards the post of Sarpanch be maintained as it exists on this date.

This petition is disposed of accordingly.

Sd/-
Chief Justice

ss/-